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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 295/2018

RAKESH KUMAR & ANR

..... Plaintiffs

Through: Mr. Bharat Gupta & Mr. Varun
Tyagi, Advs. (Mob.9810444651)

versus

BANK OF MAHARASHTRA

..... Defendant

Through: Mr. V. K. Gupta, Adv. for D-1
(joined through VC)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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15.02.2024

CS(OS) 295/2018

As per office note, fresh/revised Affidavit of Admission/Denial of the documents filed by the defendant no.1 is on record. However, on perusal of the said Affidavit, it is found that again Affidavit of Admission/Denial of the documents filed by the defendant no.1 has not been filed in the prescribed format as per Chapter VII of Delhi High Court (Original Side) Rules. Learned counsel for the defendant no.1 seeks one more opportunity for the same. In the interest of justice, no adverse order is being passed today and the last and final opportunity is granted to the defendant no.1 to file fresh/proper Affidavit of Admission/Denial of the documents as per Chapter VII of Delhi High Court (Original Side) Rules within two weeks with copy to the opposite side.

Learned counsel for the defendant no.1 also undertakes to pay previous cost of Rs.500/- to learned counsel for the plaintiff within two days. Let needful be done as stated.



Vide order dated 13.08.2019, the defendant no.2 was impleaded in the present matter and the plaintiff was directed to serve defendant no.2 with summons of the suit directly as well as through counsel who appeared for defendant no.2 on 18th March, 2019. However, till date, the plaintiff has not taken requisite steps for service of defendant no.2. At this stage, learned counsel for the plaintiff submits that he will take requisite steps for service of defendant no.2 as per law.

Re-notify the matter for completion of service of defendant no.2/further proceedings on 16.05.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 15, 2024/ab
Click here to check corrigendum, if any